

REMARKS

This is a complete response to the outstanding Office Action mailed February 25, 2010. Applicant respectfully requests reconsideration. Claims 74-82 were previously pending in this application. Claims 74, 77 and 80 have been amended. As a result, claims 74-82 are pending for examination with claims 74, 77 and 80 being independent claims. No new matter has been added.

Allowable Claims

Applicant appreciates the Examiner's review and the finding that claims 74-82 would be allowable if rewritten or amended to overcome the rejections under 35 USC 101 set forth in the Office Action.

35 USC §101

The Examiner rejected claims 74-82 under 35 USC §101 as not falling within one of the four categories of invention. The Examiner concludes that while the instant claims recite a series of steps to be performed, the claims neither transform underlying subject matter nor positively tie to another

statutory category that accomplishes the claimed method steps. Therefore, the Examiner has determined that the claimed invention is directed to non-statutory subject matter.

Applicant has amended independent claims 74, 77 and 80 to recite in pertinent part: "A method for managing communications in a communication processing system". The method or process disclosed in the claims is now tied to a particular apparatus, i.e. a communication processing system. As such, the claims recite a series of steps to be performed and are positively tied to another statutory category that accomplished the claimed method steps. Therefore, the claimed invention is directed to statutory subject matter.

Applicant respectfully requests reconsideration and withdrawal of the claim 101 rejection. Therefore, claims 74-82 should be allowed for at least the above reasons.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account Number 02-3285, under Docket NUMBER CONCERTO-500AX.

Respectfully submitted,

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